

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:06-cr-448-MOC**

UNITED STATES OF AMERICA,

vs.

JERONZA THORNE,

Defendant.

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ORDER

THIS MATTER comes before the Court on Defendant’s pro se Motion for Compassionate Release/Reduction of Sentence. (Doc. No. 58). Defendant, an inmate at FCI Allenwood in White Deer, Pennsylvania, seeks a reduction of his sentence based on the COVID-19 pandemic. Defendant seeks release based on his medical condition of “chronic leukemia.” Defendant filed a prior motion for compassionate release, and this Court denied it for failure to first seek relief from the BOP. Defendant has now refiled his motion, attaching the BOP’s denial of his request. (Doc. No. 58 at 2).

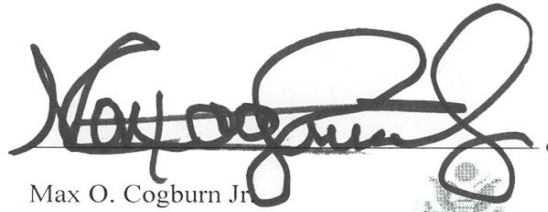
Title 18, Section 3582(c)(1)(A)(i) authorizes criminal defendants to request compassionate release from imprisonment based on “extraordinary and compelling reasons.” Defendant’s release is not appropriate because he cannot establish “extraordinary and compelling reasons [to] warrant such a reduction” under Section 3582(C)(1)(A)(i). Moreover, the Court notes that the BOP denied Defendant’s request, finding that “[a] medical review determined you have not been diagnosed with a terminal, incurable disease with a life expectancy of eighteen months or less, you are able to care for your daily needs, and you are not confined to a bed or wheelchair for greater than fifty percent of your waking hours. . . . [Y]our concern about being potentially exposed to, or possibly contracting, COVID -19 does not currently warrant an early release from your sentence.” (Doc.

No. 58 at 2). The BOP is in a better position than the district courts to determine whether an individual defendant's circumstances and the prison environment warrant relief due to coronavirus concerns. Furthermore, Defendant has not submitted any medical records to substantiate the medical conditions from which he suffers. Thus, this Court finds, as did the BOP, that Defendant has not established extraordinary and compelling reasons to warrant a sentence reduction at this time. For these reasons, the motion is denied.

ORDER

IT IS, THEREFORE, ORDERED that Defendant's pro se Motion for Compassionate Release/Reduction of Sentence, (Doc. No. 58), is **DENIED**.

Signed: June 3, 2020

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.
United States District Judge